1. Rejection of Claims 1, 4-6, 8-13, and 19-30 Under 35 U.S.C. §103(a) to U.S. Patent 6,034,025

With respect to claims 1, 4-6, 8-13, and 19-30 being unpatentable over U.S. Patent 6,034,025 (herein referred to as "Yang, et al."), Applicant respectfully traverses the rejection.

First and foremost, all arguments in Applicant's previous responses are incorporated herein by reference in their entirety. Notwithstanding, Applicant as included herewith this response a declaration from Dr. Diego Brita. See ATTACHMENT B. Applicant believes the declaration provided herein should be entered as a matter of right since the Examiner issued a first-action final Office Action immediately after Applicant filed a Request for Continued Examination on February 26, 2009.

As outlined in the aforementioned declaration, contrary to the Examiner's contention, if one were to follow the teaching of Yang, et al., one of ordinary skill in the art would not arrive at the currently claimed adducts. In fact, one of ordinary skill in the art would arrive at adducts having a much lower alcohol content than currently claimed by Applicant.

Accordingly, in light of the above, Applicant respectfully believes the currently pending claims are patentably distinct from Yang, et al. As such, the Examiner is respectfully requested to withdraw the current rejection.

2. Rejection of Claims 1, 4-6, 8-13, and 19-30 Under 35 U.S.C. §103(a) to U.S. Patent 4,829,034

With respect to claims 1, 4-6, 8-13, and 19-30 being unpatentable over U.S. Patent 4,829,034 (herein referred to as "Iiskolan, et al."), Applicant respectfully traverses the rejection.

First and foremost, as noted above, all arguments in Applicant's previous responses are incorporated herein by reference in their entirety. Additionally, Applicant has included a declaration from Dr. Diego Brita herewith this response. See ATTACHMENT B. Applicant believes the declaration provided herein should be entered as a matter of right since the Examiner issued a first-action final Office Action immediately after Applicant filed a Request for Continued Examination on February 26, 2009.

As outlined in the aforementioned declaration, the currently claimed adducts unexpectedly have much higher specific activities in proportion to the molar amount of alcohol present than the adducts of Iiskolan, et al. This is further evidenced by the fifteen (15) working examples provided in Applicant's specification in Table 2.

Moreover, Applicant responds as follows with respect to the Examiner's contention that Applicant's "results are not fully commensurate with the scope of the claimed invention." In particular, the Examiner has not provided a scintilla of evidence, nor has the Examiner provided any technical reasoning as to why Applicant's unexpected results are supposedly "not fully

commensurate with the scope of the claimed invention." (Emphasis added). In fact, Applicant has provided the Examiner with fifteen (15) working examples that fall all along the range of embodiments within the current claims. In this regard, Applicant need not produce every single possible example that theoretically could fall within the claims for the results to be "fully commensurate." This, of course, would be unduly burdensome on Applicant.

Accordingly, in light of the above, Applicant respectfully believes the currently pending claims are patentably distinct from Yang, et al. As such, the Examiner is respectfully requested to withdraw the current rejection.

CONCLUSION

Based upon the above remarks, the presently claimed subject matter is believed to be novel and patentably distinguishable over the references of record. The Examiner is therefore respectfully requested to reconsider and withdraw all rejections, and allow pending claims 1, 4-6, 8-17, and 19-30. Favorable action with an early allowance of the claims pending in this application is earnestly solicited.

The Examiner is welcomed to telephone the undersigned practioner if he has any questions or comments.

Respectfully submitted,

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I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Mail Stop AF, Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450 on MARCH 3, 2010

_____ MARCH 3, 2010
Signature Date